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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,930	12/06/2001	John P. Del Favero JR.	770.02	9296
8685	7590	06/21/2007	EXAMINER	
DERGOSITS & NOAH LLP FOUR EMBARCADERO CENTER, SUITE 1450 SAN FRANCISCO, CA 94111			NGUYEN, MERILYN P	
		ART UNIT	PAPER NUMBER	
		2163		
		MAIL DATE	DELIVERY MODE	
		06/21/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/006,930	DEL FAVERO ET AL.	
	Examiner	Art Unit	
	Marilyn P. Nguyen	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 May 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,5-10,12 and 14-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,5-10,12 and 14-33 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input checked="" type="checkbox"/> Other: <u>Detailed action</u> .

DETAILED ACTION

1. This application claims priority to Provisional Application No. 60286259 filed on April 24, 2001 and No. 60254298 filed on December 8, 2000.
2. In response to the communication dated 05/29/2007, claims 1-2, 5-10, 12, and 14-33 are pending in this office action.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/29/2007 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 23 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed

invention. The claim recites the first series of user word or phrase menu selections are based upon a user profile associated with the user was not described in the specification. Figure 8 and corresponding text only support the claimed limitation of “the second series of user word or phrase menu selections are based upon a user profile associated with the user.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 5-9 and 29-32 rejected under 35 U.S.C. 102(e) as being anticipated by Narasimhan (US 6,237,145).

Regarding claims 1-2, 5-9 and 29-32, Narasimhan discloses a method for formulation of queries for use in accessing information from a knowledge base (See col. 5, line 40 to col. 6, line 16), said method comprising:

- (a) displaying a first menu list of words or phrases (See col. 5, lines 44-50);
- (b) receiving a first selection of at least one of the words or phrases in the first menu list from a user (See col. 5, lines 49-50);
- (c) receiving user profile information associated with a user formulating the queries (See col. 5, line 66 to col. 6, line 12).

Art Unit: 2163

(d) obtaining a second menu list of words or phrases based on the first selection of at least one of the words or phrases in the first menu list and the user profile information (See col. 5, line 66 to col. 6, line 12).

(e) receiving a second selection of at least one of the words or phrases in the second menu list from the user (See col. 5, lines 60-65).

(f) formulating a query from at least the first selection and the second selection (See col. 5, lines 60-65) as per claims 9.

wherein said obtaining (d) comprises dynamically generating the second menu list based on the first selection of at least one of the words or phrases in the first menu list (See col. 5, line 50-55) as per claims 2, 7, and 30.

wherein the query is a natural language phrase, sentence or question (See col. 5, lines 50-65) as per claims 5-6 and 31-32.

Regarding claim 8, Narasimhan discloses said obtaining (d) comprises selecting the second menu list from a plurality of predetermined menu lists based on the first selection of at least one of the words or phrases in the first menu list (See Figs. 2 and 3, and col. 5, lines 50-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 5-10, 12, and 14-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (US 6,460,031), in view of Gobburu (US 6,736,322).

Regarding claims 1-2, 5-7, 9 and 29-32, Wilson discloses a method for formulation of queries for use in accessing information from a knowledge base (See col. 2, line 55-67), said method comprising:

- (a) displaying a first menu list of words or phrases (See col. 3, lines 1-3);
- (b) receiving a first selection of at least one of the words or phrases in the first menu list from a user (See col. 3, lines 1-5);

Wilson is silent as to receiving user profile information associated with a user formulating the queries. On the other hand, Gobburu teaches receiving user profile information associated with a user formulating the queries (See col. 22, lines 49-59, Gobburu et al.). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to formulate queries based on user profile information as suggested by Gobburu. The motivation would have been to provide users with quickly access to the information that is likely to be interested by the users.

(d) obtaining a second menu list of words or phrases based on the first selection of at least one of the words or phrases in the first menu list (See col. 3, lines 5-10, Wilson et al.). And, the combination of Wilson and Gobburu suggests obtaining a second menu list of words or phrases based on the user profile information so that focusing on user interest by applying user profile information.

- (e) receiving a second selection of at least one of the words or phrases in the second menu list from the user (See col. 5, lines 53-60).

(f) formulating a query from at least the first selection and the second selection (See col. 6, lines 20-44) as per claims 9.

wherein said obtaining (d) comprises dynamically generating the second menu list based on the first selection of at least one of the words or phrases in the first menu list (See col. 3, line 4-5) as per claims 2, 7, and 30.

wherein the query is a natural language phrase, sentence or question (See col. 2, lines 65-67, and col. 6, lines 39-44) as per claims 5-6 and 31-32.

Regarding claim 8, Wilson/Gobburu discloses said obtaining d) comprises selecting the second menu list from a plurality of predetermined menu lists based on the first selection of at least one of the words or phrases in the first menu list (See Fig. 4, and col. 5, lines 39-60, Wilson et al.).

Regarding claim 10, Wilson/Gobburu discloses (g) displaying the query produced by combining step (f) (618, Fig. 6, Wilson et al.).

Regarding claims 12, 17, and 19, Wilson, in view of Gobburu, discloses all the claimed subject matter as set forth above in claims 1,2 and 5. However, Wilson is silent as to use a mobile computing device to operate the method of claims 1, 2 and 5. Gobburu teaches a mobile computing device using menus to generate queries (See Figs. 1-9, Gobburu et al.). Since Wilson uses computer system to operate the method of formulating queries using menus. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to

Art Unit: 2163

incorporate and use menus to generate queries into a mobile computing device as suggested by Gobburu. The motivation would have been to enhance the flexibility and convenience of the system so that the system can be used anywhere.

Regarding claim 14, Wilson/Gobburu discloses wherein the one or more phrases, sentences or questions being constructed by said constructing (b) are natural language phrases, sentences or questions (See col. 2, lines 65-67, and col. 6, lines 39-44, Wilson et al.).

Regarding claim 15, Wilson/Gobburu discloses (c) displaying the one or more phrases, sentences or questions from said constructing (b) (See col. 4, lines 42-49, also Fig. 6, and col. 6, line 17-44, Wilson et al.);

Regarding claim 16, Wilson/Gobburu discloses wherein said displaying (c) operates to incrementally update the one or more phrases, sentences or questions being displayed as each of the series of user word or phrase menu selections are individually made (See col. 7, lines 9-15, Wilson et al.).

Regarding claim 18, Wilson/Gobburu discloses wherein at least adjacent ones of the menus in the series of menus have a grammatical and/or contextual relationship (See Fig. 4, Wilson et al.).

Regarding claim 20, Wilson/Gobburu discloses wherein said constructing (b) operates to construct the one or more phrases, sentences or questions based on the series of user word or phrase menu selections and based on one or more of user selection history, user preferences, content or application (See col. 5, lines 1-10, Wilson et al.).

Regarding claim 21, Wilson/Gobburu discloses wherein the series of menus are predetermined (See col. 5, lines 42-60, Wilson et al.).

Regarding claim 22, Wilson/Gobburu discloses wherein a plurality of the menus in the series of menus are dynamically determined in response to menu selections (See col. 3, line 4-5, Wilson et al.).

Regarding claim 23, Wilson/Gobburu discloses a method for retrieving information from a knowledge base for a user, said method comprising:

(a) constructing a natural language query from a first user selection from a first series of user word or phrase menu selections and a second user selection from a second series of user word or phrase menu selection (See Figs. 4, 5, 6, and col. 5, line 39 to col. 6, line 44, Wilson et al.), wherein the first series and the second series of user word or phrase menu selections are based upon a user profile associated with the user as addressed above in claim 1;

(b) processing the natural language query to obtain a response from the knowledge base (See col. 6, line 57 to col. 7, line 15, Wilson et al.); and

(c) displaying the response to the user (See col. 7, lines 15-16, Wilson et al.).

Regarding claims 24 and 26, Wilson/Gobburu discloses a method for retrieving pertinent information from a data source for a user, said method comprising:

- (a) displaying an initial menu of words or phrases (See col. 5, lines 61-54, Wilson et al.);
- (b) receiving an initial user menu selection of at least one of the words or phrases of the initial menu from the user (See col. 5, lines 64-66, Wilson et al.);
- (c) obtaining a subsequent menu of words or phrases based on the s initial user menu selection (See col. 5, line 66 to col. 6, line 2, Wilson et al.) and user profile information associated with the user as addressed above in claim 1;
- (d) displaying the subsequent menu of words or phrases is based upon a profile of the user (See col. 5, line 66 to col. 6, line 2, Wilson et al. and as addressed above in claim 1);
- (e) receiving a subsequent user menu selection of at least one of the words or phrases of the subsequent menu from (See col. 6, lines 2-3, Wilson et al.);
- (f) displaying an initial query in accordance with at least the to subsequent user menu selection (See col. 4, lines 42-49, also Fig. 6, and col. 6, line17-44, Wilson et al.);
- (g) determining whether additional user menu selections are desired or needed (See Col. 6, lines 17-44, Wilson et al.);
- (h) repeating said obtaining (c) through said displaying (f) until said determining (g) determines that no additional user menu selections are is desired or needed, wherein an updated query is displayed by said displaying (f) in accordance with at least the plurality of the subsequent user menu selections (See 618, Fig. 6, and Col. 7, lines 9-15, Wilson et al.);
- (i) obtaining a response to the updated query (See Col. 7, lines 9-15, Wilson et al.); and

(j) presenting and displaying the response to the user (See col. 7, lines 15-16, Wilson et al.).

Regarding claim 25, Wilson/Gobburu discloses wherein the obtaining (i) comprises:

(i1) forming a request for the response to the updated query (See col. 7, lines 9-14, Wilson et al.);

(i2) transmitting the request to a remote server from which the response is obtained (See col. 7, lines 13-15, Wilson et al.); and

(i3) receiving the response from the remote server (See col. 7, lines 15-16, Wilson et al.).

Regarding claim 27, Wilson/Gobburu discloses wherein the words or phrases in the initial menu are concepts (See Fig. 6, Wilson et al.).

Regarding claim 28, Wilson/Gobburu discloses wherein the initial query and the updated query are natural language queries (See col. 2, lines 65-67, and col. 6, lines 39-44, Wilson et al.).

Regarding claim 33, Wilson/Gobburu discloses whereby the phrase, sentence or question is formed through menu selections of words or phrases and thus without having to enter individual characters therefor (See Fig. 4, and col. 5, lines 39-60, Wilson et al.).

7. Claims 1-2, 5-10, and 23-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (US 6,460,031), in view of Narasimhan (US 6,237,145).

Regarding claims 1-2, 5-7, 9 and 29-32, Wilson discloses a method for formulation of queries for use in accessing information from a knowledge base (See col. 2, line 55-67), said method comprising:

- (a) displaying a first menu list of words or phrases (See col. 3, lines 1-3);
- (b) receiving a first selection of at least one of the words or phrases in the first menu list from a user (See col. 3, lines 1-5);

Wilson is silent as to receiving user profile information associated with a user formulating the queries and obtaining a second menu list of words or phrases based on the user profile information. On the other hand Narasimhan teaches receiving user profile information associated with a user formulating the queries and obtaining a second menu list of words or phrases based on the user profile information (See col. 5, line 66 to col. 6, line 12, Narasimhan et al.). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to receive user profile information and obtaining a second menu list of words or phrases based on the user profile information as suggested by Narasimhan. The motivation would have been to provide users with quickly access to the information that is likely to be interested by the users.

- (d) obtaining a second menu list of words or phrases based on the first selection of at least one of the words or phrases in the first menu list (See col. 3, lines 5-10, Wilson et al.). And, the combination of Wilson and Narasimhan suggests obtaining a second menu

list of words or phrases based on the user profile information so that focusing on user interest by applying user profile information.

(e) receiving a second selection of at least one of the words or phrases in the second menu list from the user (See col. 5, lines 53-60).

(f) formulating a query from at least the first selection and the second selection (See col. 6, lines 20-44) as per claims 9.

wherein said obtaining (d) comprises dynamically generating the second menu list based on the first selection of at least one of the words or phrases in the first menu list (See col. 3, line 4-5) as per claims 2, 7, and 30.

wherein the query is a natural language phrase, sentence or question (See col. 2, lines 65-67, and col. 6, lines 39-44) as per claims 5-6 and 31-32.

Regarding claim 8, Wilson/ Narasimhan discloses said obtaining d) comprises selecting the second menu list from a plurality of predetermined menu lists based on the first selection of at least one of the words or phrases in the first menu list (See Fig. 4, and col. 5, lines 39-60, Wilson et al.).

Regarding claim 10, Wilson/ Narasimhan discloses (g) displaying the query produced by combining step (f) (618, Fig. 6, Wilson et al.).

Regarding claim 23, Wilson/ Narasimhan discloses a method for retrieving information from a knowledge base for a user, said method comprising:

Art Unit: 2163

(a) constructing a natural language query from a first user selection from a first series of user word or phrase menu selections and a second user selection from a second series of user word or phrase menu selection (See Figs. 4, 5, 6, and col. 5, line 39 to col. 6, line 44, Wilson et al.); wherein the first series and the second series of user word or phrase menu selections are based upon a user profile associated with the user as addressed above in claim 1;

(b) processing the natural language query to obtain a response from the knowledge base (See col. 6, line 57 to col. 7, line 15, Wilson et al.); and

(c) displaying the response to the user (See col. 7, lines 15-16, Wilson et al.).

Regarding claims 24 and 26, Wilson/ Narasimhan discloses a method for retrieving pertinent information from a data source for a user, said method comprising:

(a) displaying an initial menu of words or phrases (See col. 5, lines 61-54, Wilson et al.);

(b) receiving an initial user menu selection of at least one of the words or phrases of the initial menu from the user (See col. 5, lines 64-66, Wilson et al.);

(c) obtaining a subsequent menu of words or phrases based on the s initial user menu selection (See col. 5, line 66 to col. 6, line 2, Wilson et al.) and user profile information associated with the user as addressed above in claim 1;

(d) displaying the subsequent menu of words or phrases is based upon a profile of the user (See col. 5, line 66 to col. 6, line 2, Wilson et al. and as addressed above in claim 1);

(e) receiving a subsequent user menu selection of at least one of the words or phrases of the subsequent menu from (See col. 6, lines 2-3, Wilson et al.);

Art Unit: 2163

(f) displaying an initial query in accordance with at least the two subsequent user menu selection (See col. 4, lines 42-49, also Fig. 6, and col. 6, line 17-44, Wilson et al.);

(g) determining whether additional user menu selections are desired or needed (See Col. 6, lines 17-44, Wilson et al.);

(h) repeating said obtaining (c) through said displaying (f) until said determining (g) determines that no additional user menu selections are desired or needed, wherein an updated query is displayed by said displaying (f) in accordance with at least the plurality of the subsequent user menu selections (See col. 6, Fig. 6, and Col. 7, lines 9-15, Wilson et al.);

(i) obtaining a response to the updated query (See Col. 7, lines 9-15, Wilson et al.); and

(j) presenting and displaying the response to the user (See col. 7, lines 15-16, Wilson et al.).

Regarding claim 25, Wilson/Narasimhan discloses wherein the obtaining (i) comprises:

(i1) forming a request for the response to the updated query (See col. 7, lines 9-14, Wilson et al.);

(i2) transmitting the request to a remote server from which the response is obtained (See col. 7, lines 13-15, Wilson et al.); and

(i3) receiving the response from the remote server (See col. 7, lines 15-16, Wilson et al.).

Regarding claim 27, Wilson/ Narasimhan discloses wherein the words or phrases in the initial menu are concepts (See Fig. 6, Wilson et al.).

Regarding claim 28, Wilson/ Narasimhan discloses wherein the initial query and the updated query are natural language queries (See col. 2, lines 65-67, and col. 6, lines 39-44, Wilson et al.).

Regarding claim 33, Wilson/ Narasimhan discloses whereby the phrase, sentence or question is form through menu selections of words or phrases and thus without having to enter individual characters therefor (See Fig. 4, and col. 5, lines 39-60, Wilson et al.).

8. Claims 12 and 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (US 6,460,031), in view of Narasimhan (US 6,237,145), and further in view of Gobburu (US 6,736,322).

Regarding claims 12, 17, and 19, Wilson, in view of Narasimhan, discloses all the claimed subject matter as set forth above in claims 1, 2 and 5. However, Wilson, in view of Narasimhan is silent as to use a mobile computing device to operate the method of claims 1, 2 and 5. Gobburu teaches a mobile computing device using menus to generate queries (See Figs. 1-9, Gobburu et al.). Since Wilson uses computer system to operate the method of formulating queries using menus. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate and use menus to generate queries into a mobile computing device as suggested by Gobburu. The motivation would have been to enhance the flexibility and convenience of the system so that the system can be used anywhere.

Regarding claim 14, Wilson/Narasimhan/Gobburu discloses wherein the one or more phrases, sentences or questions being constructed by said constructing (b) are natural language phrases, sentences or questions (See col. 2, lines 65-67, and col. 6, lines 39-44, Wilson et al.).

Regarding claim 15, Wilson/Narasimhan/Gobburu discloses (c) displaying the one or more phrases, sentences or questions from said constructing (b) (See col. 4, lines 42-49, also Fig. 6, and col. 6, line 17-44, Wilson et al.);

Regarding claim 16, Wilson/Narasimhan/Gobburu discloses wherein said displaying (c) operates to incrementally update the one or more phrases, sentences or questions being displayed as each of the series of user word or phrase menu selections are individually made (See col. 7, lines 9-15, Wilson et al.).

Regarding claim 18, Wilson/Narasimhan/Gobburu discloses wherein at least adjacent ones of the menus in the series of menus have a grammatical and/or contextual relationship (See Fig. 4, Wilson et al.).

Regarding claim 20, Wilson/Narasimhan/Gobburu discloses wherein said constructing (b) operates to construct the one or more phrases, sentences or questions based on the series of user word or phrase menu selections and based on one or more of user selection history, user preferences, content or application (See col. 5, lines 1-10, Wilson et al.).

Regarding claim 21, Wilson/Narasimhan/Gobburu discloses wherein the series of menus are predetermined (See col. 5, lines 42-60, Wilson et al.).

Regarding claim 22, Wilson/Narasimhan/Gobburu discloses wherein a plurality of the menus in the series of menus are dynamically determined in response to menu selections (See col. 3, line 4-5, Wilson et al.).

Response to Arguments

9. Applicant's arguments filed on 05/29/2007 about the claim rejection of the last Office Action have been fully considered, but they are not persuasive.

- Response to Applicant's argument on claim rejections under 35 U.S.C 112 First Paragraph:

Applicant argues that the claim term "first menu" is not limited to the initial menu of a sequence and the claim term "first menu" can be any one of these menu listings other than the last listing since the claim term "second menu" is based upon the first selection in the first menu. The Examiner respectfully points out that the claimed limitation of "constructing a natural language query from a first user selection from a first series of user word or phrase selections" clearly states that a natural language query is constructed from a first user selection, that's initial menu of the sequence (such as Fig. 7B, 704). Thus, the term "first menu" cannot be any one of menu listings. Therefore, the limitation of "the first series of user word or phrase menu selections are based upon a user profile associated with the user was not supported by the

Art Unit: 2163

specification. If the Applicant still thinks that it's supported by the specification, please clarify the claim limitation.

- Response to Applicant's arguments on claim rejections under 35 U.S.C 102 (e):

Applicant argues that Narsimhan does not disclose obtaining a subsequent menu of words and phrases based upon the user profile associated with the user. The Examiner respectfully disagrees. Column 5, line 45 to col. 6, line 12 states, "The main menu may have a list of different areas of interest to the user (e.g., leisure, dining, shopping, events, services, products, groceries). The user has **the option of selecting any item listed in the main menu 144M....such selection would result in the display of one of several sub-menus 144S listing more specific choices from which the user could select...the user may employ to navigate the hierarchical structure and to obtain answers to queries regarding the use of the system...in any sub-menu, the order of presentation of the choices that the user may select from is based on the user profile for the user."** Thus, Narsimhan clearly teaches obtaining a subsequent menu of words or phrases based on the user profile associated with the user.

- Response to Applicant's arguments on claim rejections under 35 U.S.C 103 (a) as being unpatentable over Wilson in view of Gobburu:

Applicant states, "In the Office Action, the Examiner states that Provisional Application no. 60/252,101 upon which Gobburu claims priority was attached to the Office Action, however this document was not enclosed with the Office Action". The Examiner did attach it with the Office action and did not know why it was not sent out. If Applicant would like to have it as record, the Examiner will send it via fax.

Art Unit: 2163

Applicant argues that Gobburu does not disclose or suggest obtaining a second menu list of words or phrases based on the first selection of at least one of the words or phrases in the first menu list and the user profile information. The Examiner respectfully disagrees. The over all system of Gobburu teaches the user using a mobile communications device to access his home account to cause various top level folders (first menu list) of the My Transactions database to be displayed on the mobile phone (as shown in Fig. 4). The user can select any of the top level folders such as "Travel", thereby causing display of various subordinate folders (second menu list, for example Figs. 5 and 6). The user now can choose any subordinate folders to be presented (See col. 12, line 62 to col. 13, line 18, Gobburu et al.). Because My Transactions database built based on user's personal transaction and information (See col. 11, lines 33-37 and 59-61); therefore, a second menu list of words or phrases is based on the first selection of at least one of the words or phrases in the first menu list and the user profile information.

- Response to Applicant's arguments on claim rejections under 35 U.S.C 103 (a) as being unpatentable over Wilson in view of Narashimham:

Applicant argues on claim 12, however, claim 12 was rejected as being unpatentable over Wilson in view of Narashimham and further in view of Gobburu.

Applicant further argues that Narasimham does not disclose or suggest a menu of words and phrases based upon the user profile associated with the user. The Examiner respectfully disagrees and fully addressed this issue above.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections

Art Unit: 2163

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); */n re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026.

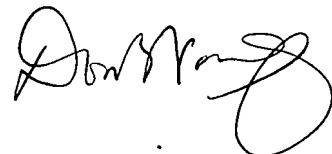
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



MN

June 12, 2007



DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100